

REMARKS

By this amendment, Claims 11-13 have been canceled. Claims 1-4 and 7-10 remain pending in the application, with Claims 1, 7 and 9 being independent claims. Claims 1-4, 9 and 10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Masaki (U.S. Patent No. 6,616,328 B1) in view of newly cited Komoda (U.S. Patent No. 5,748,570). Claims 11-13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kawaguchi (U.S. Patent No. 5,016,231) in view of Komoda. Claims 7 and 8 remain allowed. The cancellation of Claims 11-13 render these rejections moot with respect to these particular claims.

The Examiner concedes that Masaki does not disclose using his device to perform mobile communication functions including voice communication. The Examiner states that the use of a watch or time measuring device with a mobile communication function is conventional, as allegedly shown by Komoda. The Examiner asserts that it would have been obvious to provide mobile communication functions including voice communication allegedly suggested by Komoda to the analog type watches disclosed by Masaki.

Masaki shows a timepiece in FIG. 1. The timepiece in FIG. 1 includes an oscillation section 101, a dividing section 102, an indication control section 103, a data storage section 104, a rate fast/slow section 105, a crown state detection section 106, and a data input control section 107. The rate fast/slow section 105 holds first rate fast/slow data for making a rough accuracy adjustment. Second fast/slow data is input to the data storage section 104 through operation of the crown by the operator after a rate inspection has been made in a complete state at factory. Masaki does not generate a reference signal to keep the cost of the timepiece down. Masaki also uses an inexpensive volatile memory and a power backup capacitor and rather than an expensive writable nonvolatile memory. As conceded by the Examiner, Masaki does not disclose using the timepiece in FIG. 1 to perform mobile communication functions including voice communication.

Regarding Claims 1-4, 9 and 10, the Examiner relies on Komoda for suggesting the deficiencies of Masaki. Komoda describes time correction of an electronic clock. Komoda shows a clock in FIG. 1 that includes two oscillators where one of the two oscillators generates a first frequency for clock operation and the other of the two oscillators generates a second frequency which is more accurate than the first frequency. Komoda stores a correction time interval based on the two oscillators in an expensive nonvolatile memory.

While one skilled in the art at the time the invention was made may be motivated to modify Masaki by providing the two oscillators and nonvolatile memory of Komoda, such a modification would destroy the timepiece configuration of Masaki by providing an oscillator to generate a reference signal and by providing an expensive nonvolatile memory. The Examiner well knows that reliance cannot be placed on a secondary reference when the secondary reference destroys the intended function of the primary reference.

More particularly, Masaki, Komoda, or any combination thereof, fails to teach or reasonably suggest the recitations in Claims 1 and 9.

Accordingly, independent Claims 1 and 9 are allowable over Masaki, Komoda, or any combination thereof.

While not conceding the patentability of the dependent claims, *per se*, Claims 2-4 and 10 are also allowable for at least the above reasons.

Accordingly, all of the claims pending in the Application, namely, Claims 1-4 and 7-10, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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